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Docket No.: DURE-021

APR 04 2007

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On: 04/04/2007

By: Crystal Susa Printed: Crystal Susa

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Arcenberg, et al.

Title: CONTROLLED RELEASE SYSTEM FOR DELIVERING THERAPEUTIC AGENTS  
INTO THE INNER EAR

Serial No.: 09/205,251

Filing Date: 12/04/1998

Examiner: Tam,

Group Art Unit:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Sir:

1. This application became abandoned on 03/28/2007.

2. This application became abandoned because the failure to prosecute was an  
unintentional delay. The entire delay in filing the required reply from the due date until the filing  
of this petition was unintentional, as required under 37 CFR 1.137(b)(3).

3. This petition is filed:

☒ X within one year of the date of abandonment.

☐ Within three months of the date of the first decision on a petition to revive under 37  
CFR 1.137(a) which was filed within one year of the date of abandonment.

☐ The three month period has been extended up to \_\_\_\_\_.

4. This application became abandoned unintentionally.

5. Proposed response is attached.

04/06/2007 FHETEKI1 00000007 501953 09205251


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CENTRAL FAX CENTER****APR 04 2007****6. Verification:**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

**7. Fee 37 CFR 1.17(m):**

Please charge Deposit Account No. **50-1953** in the amount of \$ 1500.00 as set forth under 37 CFR 1.17(m)(1). The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. **50-1953**. **This form is enclosed in duplicate.**

Date: 4/4/07Respectfully submitted,  
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